

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CARRLIS DEWAYNE REEVES,

Petitioner,

vs.

CASE NO. 05-70764
HON. LAWRENCE P. ZATKOFF
MAGISTRATE JUDGE PAUL J. KOMIVES

JERI-ANN SHERRY,

Respondent.

ORDER DENYING PETITIONER'S MOTION FOR RECONSIDERATION

This matter is before the Court on Petitioner's August 21, 2006 Motion for Reconsideration. Pursuant to E.D. MICH. LR 7.1(g)(2), no response is permitted. By his Motion for Reconsideration, Petitioner challenges the Court's August 3, 2006 Order adopting the Magistrate Judge's Report and Recommendation, dismissing his petition.

A motion for reconsideration is governed by E.D. MICH. LR 7.1(g)(3), which states "the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case."

As he did in his objections to the Report and Recommendation, Petitioner argues that the Magistrate Judge considered the wrong state court cases. Petitioner argues that this constitutes a palpable defect. However, as was explained in the Court's Order adopting the Report and Recommendation, it is Petitioner who is mistaken regarding the case numbers.

Petitioner further argues that the Court failed to consider all of his claims because of the confusion regarding the case numbers. However, in the Order adopting the Report and Recommendation the Court stated that it thoroughly reviewed the case file, the Report and Recommendation, and Petitioner's objections. After that thorough review the Court adopted the conclusions of the Magistrate Judge.

Petitioner has raised no new issues, and has failed to demonstrate a palpable defect in the Court's Order. Therefore, Petitioner's Motion for Reconsideration is HEREBY DENIED.

IT IS SO ORDERED.

s/Lawrence P. Zatkoff

LAWRENCE P. ZATKOFF

UNITED STATES DISTRICT JUDGE

Dated: August 30, 2006

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on August 30, 2006.

s/Marie E. Verlinde

Case Manager

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